

STATE OF WISCONSIN  
**Senate Journal**  
Eighty-Seventh Regular Session

THURSDAY, April 25, 1985

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Rabbi Herbert G. Panitch of Congregation Beth Israel in Milwaukee.

The senate remained standing and Senator Lee led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasec, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 33.

Absent -- None.

Absent with leave -- None.

INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 39**

Proclaiming May 3, 1985, Trzeciego Maja Day.

By Senators Plewa, Helbach, Czarnecki, Chvala and Norquist; cosponsored by Representatives Kunicki, Rutkowski, Gruszynski, Krusick and Matty.

Read and referred to committee on Senate Organization.

**Senate Joint Resolution 40**

Relating to proclaiming May 17, 18, and 19, 1985, Syttende Mai Weekend.

By Senators Ulichny, Moen, Rude, Chvala, Otte, Chilsen, Andrea, Czarnecki and Risser; cosponsored by Representatives Loftus, Larson, Wineke, Schneiders, McEssy, Zeuske, Manske, Shoemaker, Tesmer, Huelsman, Kasten and Van Gorden.

Read and referred to committee on Senate Organization.

**Senate Joint Resolution 41**

Memorializing congress to provide the public sector with reasonable access to satellite telecommunications technology.

By Senators Harsdorf, Moen and Lorman; cosponsored by Representatives Byers, Musser and Berndt.

Read and referred to committee on Energy and Environmental Resources.

**Senate Joint Resolution 42**

Relating to authorizing the county board of any county to propose, and the voters of the county to enact by approval in a referendum, the creation of a county lottery to be operated as regulated by state law (first consideration).

By Senator Harsdorf, by request of Wally Smetana of Menomonie.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

**Senate Joint Resolution 43**

Urging Stroh's Brewing Company to refrain from using the product label 'Old Milwaukee'.

By Senators McCallum, Norquist, Rude, Otte, Helbach, Plewa, Andrea, Ulichny, Moen, Cullen, Kreul, Harsdorf, Kincaid, Adelman, Czarnecki, Chvala and Engleiter; cosponsored by Representatives Robinson, Bell, Schmidt, Looby, Fergus and Hasenohrl.

Read and referred to committee on Economic Development.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 175**

Relating to use of adverse weather lamps.

By Senator Ellis, by request of Roger Sweet.

To committee on Transportation.

**Senate Bill 176**

Relating to compulsory motor vehicle insurance and granting rule-making authority.

By Senators Ellis and Lee, by request of Ron Kippenhan.

To committee on Labor, Business, Veterans Affairs and Insurance.

**Senate Bill 177**

Relating to right to cancel hearing aid purchase.

By Senator Theno; cosponsored by Representative Schultz.

To committee on Labor, Business, Veterans Affairs and Insurance.

By request of Senator Cullen, with unanimous consent, the senate recessed until 11:12 A.M..

10:10 A.M.

RECESS

11:12 A.M.

The senate reconvened.

**Senate Bill 178**

Relating to minimum shared revenue payments for decommissioned utility plants, distributions of property tax collections, real estate transfer fee exemptions, settlement of Wisconsin state property tax relief credits, discontinuing the authorization to counties to make adjustments of real estate transfer fees, revenue bonding for construction and maintenance of joint civic facilities, appeals to the department of revenue of determinations made by a board of review and requiring notice by cities upon termination of a tax incremental district.

By Senator Kincaid; cosponsored by Representative Neubauer, by request of the Department of Revenue.

To committee on Tourism, Revenue, Financial Institutions and Forestry.

**Senate Bill 179**

Relating to the appointment of a university of Wisconsin system student to the higher educational aids board.

By Senator Harsdorf; cosponsored by Representatives Berndt, Ladwig and Musser.

To committee on Education and Government Operations.

**Senate Bill 180**

Relating to creating a property tax exemption for senior citizen centers.

By Senators Harsdorf, Kincaid, Chilsen, Lasee and Theno; cosponsored by Representatives Van Gorden, Paulson, Holperin, Hubler and Goetsch.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 181**

Relating to a property tax exemption for lands dedicated for highways.

By Senators Harsdorf, Leean, Kreul, Engeleiter and Lasee; cosponsored by Representatives Van Gorden, Matty, Tregoning, Hubler, Merkt, Paulson, Turba, Bradley, Goetsch, Lepak, Schultz and Berndt.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 182**

Relating to presumptions given to chemical tests for intoxication.

By Senators Harsdorf, Moen, McCallum, Chilsen and Lorman; cosponsored by Representatives Berndt, Magnuson, Vergeront, Buettner, Walling, Weeden and Goetsch, by request of Harley F. Stark, Assistant District Attorney of St. Croix County.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 183**

Relating to reimbursement of necessary expenses and payment of a per diem to certain land conservation committee members.

By Senators Harsdorf and Kreul; cosponsored by Representative Berndt.

To committee on Education and Government Operations.

**Senate Bill 184**

Relating to creating a sales and use tax exemption for animal bedding.

By Senators Harsdorf, Kreul, Engeleiter, Lasee, Chilsen and Theno; cosponsored by Representatives Van Gorden, Turba, Goetsch, Hubler, Zeuske and Berndt.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 185**

Relating to allowing health insurance premiums as an itemized deduction for income tax purposes for certain persons.

By Senators Harsdorf, Rude, Kreul, Lorman and Hanaway; cosponsored by Representatives Berndt, Paulson, Huelsman, Menos, Radtke, Turba, Welch, Goetsch, Schultz, Musser and Matty.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 186**

Relating to exempting certain retirement benefits from the income tax and discontinuing an income tax exemption for certain other retirement benefits.

By Senators Harsdorf and McCallum; cosponsored by Representatives Paulson, Larson, Matty and Musser.

To Joint Survey committee on Tax Exemptions.

**Senate Bill 187**

Relating to eliminating the inheritance and gift taxes.

By Senators Harsdorf, Andrea, Davis, Engeleiter, Stitt, Lorman and Lasee; cosponsored by Representatives Berndt, J. Young, Welch, Panzer, Byers, Bradley, Coleman, Margaret Lewis, Zeuske, Foti, Huelsman, Merkt, Musser, Tregoning and Schneiders.

To committee on Tourism, Revenue, Financial Institutions and Forestry.

**Senate Bill 188**

Relating to permitting bicyclists to ride 2 abreast.

By Senators Risser, Van Sistine, Davis, Lorman and Norquist; cosponsored by Representatives Manske, Seery, M. Coggs, Magnuson, Black, Metz, T. Thompson and Vanderperren.

To committee on Transportation.

**Senate Bill 189**

Relating to establishing a bikeway assistance program and making an appropriation.

By Senators Risser, Lee, Van Sistine, Lorman, Norquist and Czarnezki; cosponsored by Representatives R. Young, Manske, Seery, M. Coggs, Metz, Gruszynski, Holschbach, Black, Schneiders and Plizka.

To committee on Transportation.

State of Wisconsin  
Department of State

April 23, 1985

COMMITTEE REPORTS

The committee on Transportation reports and recommends:

**Senate Bill 89**

Relating to duplicate operator's licenses and identification cards issued by the department of transportation.

Passage:

Ayes, 6 -- Senators Otte, Moen, Andrea, Theno, Kreul and Roshell;

Noes, 0 -- None.

**Senate Bill 96**

Relating to overtaking and passing a stopped motor bus and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Otte, Moen, Andrea, Theno, Kreul and Roshell;

Noes, 0 -- None.

Passage as amended:

Ayes, 6 -- Senators Otte, Moen, Andrea, Theno, Kreul and Roshell;

Noes, 0 -- None.

CARL OTTE  
Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

**Senate Bill 30**

Relating to regulations of and permits for campgrounds, camping resorts, recreational and educational camps, mobile home parks and public swimming pools.

Passage:

Ayes, 4 -- Senators Kincaid, Ulichny, Ellis and Leean;

Noes, 0 -- None.

LLOYD H. KINCAID  
Chair

The committee on Senate Organization, acting under Senate Rule 20(1), reports and recommends the following nominations to committees for appointment by the Senate:

To the joint committee on Finance, Senator Chilsen

To the Transportation Projects Commission, Senator Andrea and Senator Lasee

TIMOTHY F. CULLEN  
Chair

The question was: Shall the committee report be adopted?

Adopted.

To the Honorable the Senate

I have the honor to transmit to you the following information pursuant to s. 13.685(7):

Sincerely,

DOUGLAS LAFOLLETTE  
Secretary of State

NEWLY REGISTERED LOBBYISTS AND THEIR PRINCIPALS:

COOK, SHARON D., c/o Cook & Franke, S.C., 660 E. Mason St., Milwaukee, WI 53202 (414) 271-5900

1) Universal Foods Corporation, Attn: T.M. O'Reilly, 433 E. Michigan St., Milwaukee, WI 53202 (414) 271-6755 (matters affecting the production and distribution of food and beverages and related issues, including taxation)

HOLMGREN, STEPHEN E., VP - Development, AgriData Resources, In., 330 E. Kilbourn Ave., Milwaukee, WI 53202 (414) 278-7676

1) AgriData Resources, Inc., Att: Richard W. Weening, Pres & CEO, 330 E. Kilbourn Ave., Milwaukee, WI 53202 (414) 278-7676 (legislation relating to UW-Extension 1985 Assembly Bill 85)

RENK, RALPH W., 777 E. Wisconsin Ave., Ste 311JS, Milwaukee, WI 53202 (414) 765-5221

1) First Wisconsin Corporation, 777 E. Wisconsin Ave., Milwaukee, WI 53202 (414) 765-5977 (all bank and industry related subjects)

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

April 18, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PAUL D. ZIEMER of Green Bay to the Medical College of Wisconsin Board of Trustees pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

April 18, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint GEORGE R. THOMPSON III of Glendale to the Medical College of

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Wisconsin Board of Trustees pursuant to the statute governing, to serve a term to expire May 1, 1990.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

April 18, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HARRY V. QUADRACCI of Shorewood to the Medical College of Wisconsin Board of Trustees pursuant to the statute governing, to serve a term to expire May 1, 1991.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture, Health and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

April 18, 1985

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DR. JOHN O. CHAMBERLAIN of Fox Point to the Medical College of Wisconsin Board of Trustees pursuant to the statute governing, to serve a term to expire May 1, 1990.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Agriculture, Health and Human Services.

CALENDAR OF APRIL 25

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse with the exception of Tom Lawin.

BARNEY, KAREN F., of Madison, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1989.  
Read.

BURKE, VALENA H., of Eau Claire, as a member of the Psychology Examining Board, to serve for the term ending July 1, 1988.  
Read.

CLUSEN, RUTH C., of Green Bay, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1992.  
Read.

COFFEY, NANCY J., of Shorewood, as a member of the Hearing Aid Dealers and Fitters Examining Board, to serve for the term ending July 1, 1988.  
Read.

CUBIAS, DAISY, of Milwaukee, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1988.  
Read.

FUENTEZ, LUCIO, of Sheboygan, as a member of the Community Development Finance Authority, to serve for the term ending September 1, 1989.  
Read.

JACOBS, HELEN, of Milwaukee, as a member of the Natural Resources Board, to serve for the term ending May 1, 1991.  
Read.

JIRIKOWIC, RALPH C., of Milwaukee, as a member of the Community Development Finance Authority Board of Directors, to serve for the term ending September 1, 1988.  
Read.

KENDING, CANDY, of Bennett, as a member of the Educational Communications Board, to serve for the term ending May 1, 1986.  
Read.

KERSCHER, FRANCES MARY, of Manitowoc, as a member of the Pharmacy Internship Board, to serve for the term ending July 1, 1986.  
Read.

REINARDY, SUSAN, of Madison, as a member of the Accounting Examining Board to serve for the term ending July 1, 1986.  
Read.

SCHIEFFER, PHYLLIS, of Birchwood, as a member of the Community Development Finance Authority Board of Directors, to serve for the term ending September 1, 1986.  
Read.

TENUTA, RALPH J., of Kenosha, as a member of the Banking Review Board, to serve for the term ending May 1, 1990.  
Read.

VATTENDAHL, ORBERT "JOEL", of South Milwaukee, as a member of the University of Wisconsin System Board of Regents, to serve for the term ending May 1, 1992.  
Read.

WAGNER, MARY K., of Kenosha, as a member of the Tax Appeals Commission, to serve for the balance of the term ending March 1, 1985, and for a full term to expire March 1, 1991.  
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Helbach and Plewa - 2.

So the appointments were confirmed.

LAWIN, TOM, of Bloomer, as a member of the Natural Resources Board, to serve for the term ending May 1, 1991.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 31.

Noes -- Senator Adelman -- 1.

Absent or not voting -- Senator Plewa -- 1.

So the appointment was confirmed.

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## SENATE CLEARINGHOUSE ORDERS

### Clearinghouse Rule 84-80

AN ORDER to create ch. HSS 58, relating to the provision of services to youths who have been found delinquent by courts and are being supervised in communities as an alternative to incarceration or following incarceration.

Submitted by Department of Health and Social Services.

Report received from agency, April 24, 1985.

Referred to committee on Agriculture, Health and Human Services, April 25, 1985.

The committee on Education and Government Operations reports and recommends:

### Clearinghouse Rule 85-3

AN ORDER to amend A-E 1.20 (1) (c) and (d); and to repeal and recreate A-E 1.13 (1) (a) to (f) and 1.20 (1) (e), relating to examination and experience requirements for architect and engineer applicants and permit requirements for designers of engineering systems.

Submitted by Department of Regulation and Licensing.

No action taken.

JOSEPH J. CZARNEZKI  
Chair

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## MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

### Assembly Joint Resolution 31

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## MESSAGE FROM THE ASSEMBLY CONSIDERED

### Assembly Joint Resolution 31

Relating to establishing a sister-state relationship with the Province of Taiwan, the Republic of China.

By Representatives Loftus and Tesmer, cosponsored by Senator Risser.

Read and referred to committee on Senate Organization.

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## CALENDAR OF APRIL 25

### Senate Bill 71

Relating to increasing the membership of the state fair park board and providing for 4-year terms.

Read a second time.

By request of Senator George, with unanimous consent, **Senate Bill 71** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Senate Bill 71** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senator Otte.

The question was: Adoption of senate amendment 2? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 71**

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Plewa -- 1.

So the bill passed.

**Assembly Bill 78**

Relating to hunting bear and related licenses, permits, fees and procedures, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, **Assembly Bill 78** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Assembly Bill 78** was withdrawn from the joint committee on Finance and considered for action at this time.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator Strohl, with unanimous consent, senate substitute amendment 2 was considered for action at this time.

Senate amendment 1 to senate substitute amendment 2 offered by Senator Otte.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2?

Senator Kincaid moved rejection of senate amendment 1 to senate substitute amendment 2.

The question was: Rejection of senate amendment 1 to senate substitute amendment 2?

By request of Senator Otte, with unanimous consent, senate amendment 1 to senate substitute amendment 2 was returned to the author.

Senate amendment 2 to senate substitute amendment 2 offered by Senator Lee.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2?

Senator Kincaid moved rejection of senate amendment 2 to senate substitute amendment 2.

The question was: Rejection of senate amendment 2 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Chvala, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, McCallum, Moen, Otte, Roshell, Rude, Strohl, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Andrea, Cullen, Czarnecki, Davis, Engeleiter, Feingold, George, Lee, Lorman, Norquist, Risser, Stitt and Ulichny -- 14.

Absent or not voting -- Senator Plewa -- 1.

So the motion prevailed.

Senate amendment 3 to senate substitute amendment 2 offered by Senators Lee and Czarnecki.

The question was: Adoption of senate amendment 3 to senate substitute amendment 2?

Senator Strohl moved rejection of senate amendment 3 to senate substitute amendment 2.

The question was: Rejection of senate amendment 3 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 8; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Davis, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, McCallum, Moen, Otte, Plewa, Roshell, Rude, Stitt, Strohl, Theno and Van Sistine -- 25.

Noes -- Senators Czarnecki, Engeleiter, George, Lee, Lorman, Norquist, Risser and Ulichny -- 8.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate substitute amendment 2?

Senator Kincaid moved rejection of senate substitute amendment 2.

The question was: Rejection of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, McCallum, Moen, Roshell, Rude and Van Sistine -- 17.

Noes -- Senators Adelman, Chvala, Czarnecki, Davis, George, Lee, Leean, Lorman, Norquist, Otte, Plewa, Risser, Stitt, Strohl, Theno and Ulichny -- 16.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Davis, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, McCallum, Moen, Roshell, Rude, Stitt and Van Sistine -- 21.

Noes -- Senators Czarnezki, Engeleiter, George, Lee, Lorman, Norquist, Otte, Plewa, Risser, Strohl, Theno and Ulichny -- 12.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 1?

By request of Senator Theno, with unanimous consent, senate amendment 1 was returned to the author.

Senate amendment 2 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 2?

Senator Kincaid moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Moen, Otte, Roshell, Stitt and Van Sistine -- 13.

Noes -- Senators Adelman, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Lee, Lekan, Lorman, McCallum, Norquist, Plewa, Risser, Rude, Strohl, Theno and Ulichny -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate amendment 2? Adopted.

Senator Engeleiter moved reconsideration of the vote by which senate substitute amendment 2 was rejected.

The question was: Reconsideration of the vote by which senate substitute amendment 2 to Assembly Bill 78 was rejected?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Chvala, Czarnezki, Davis, Engeleiter, George, Lee, Lekan, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Stitt, Strohl, Theno and Ulichny -- 19.

Noes -- Senators Andrea, Cullen, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Moen, Roshell, Rude and Van Sistine -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Rejection of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Moen, Roshell, Rude and Van Sistine -- 14.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, George, Lee, Lekan, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Stitt, Strohl, Theno and Ulichny -- 19.

Absent or not voting -- None.

So the motion did not prevail.

Senate amendment 4 to senate substitute amendment 2 offered by Senator Czarnezki.

The question was: Adoption of senate amendment 4 to senate substitute amendment 2?

Senator Strohl moved rejection of senate amendment 4 to senate substitute amendment 2.

The question was: Rejection of senate amendment 4 to senate substitute amendment 2?

Senator Harsdorf asked unanimous consent that Assembly Bill 78 be referred to committee on Energy and Environmental Resources.

Senator Theno objected.

Senator Harsdorf moved that Assembly Bill 78 be referred to committee on Energy and Environmental Resources.

The question was: Shall Assembly Bill 78 be referred to committee on Energy and Environmental Resources?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 20; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Chilsen, Ellis, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Moen, Roshell, Rude, Stitt and Van Sistine -- 13.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Helbach, Lee, Lekan, Lorman, McCallum, Norquist, Otte, Plewa, Risser, Strohl, Theno and Ulichny -- 20.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Rejection of senate amendment 4 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Moen, Otte, Roshell, Stitt, Strohl and Van Sistine -- 15.

Noes -- Senators Adelman, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Lee, Lorman, McCallum, Norquist, Plewa, Risser, Rude, Theno and Ulichny -- 17.

Absent or not voting -- Senator Ellis -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 4 to senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Lee, Lorman, McCallum, Norquist, Plewa, Risser, Rude and Ulichny - 16.

Noes -- Senators Andrea, Chilsen, Chvala, Ellis, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, Moen, Otte, Roshell, Stitt, Strohl, Theno and Van Sistine -- 17.

Absent or not voting -- None.

So the amendment failed to be adopted.

The question was: Adoption of senate substitute amendment 2?

Senator Kincaid asked unanimous consent that **Assembly Bill 78** be referred to joint committee on Finance.

Senator Norquist objected.

Senator Kincaid moved that **Assembly Bill 78** be referred to joint committee on Finance.

The question was: Shall **Assembly Bill 78** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 3; noes, 30; absent or not voting, 0; as follows:

Ayes -- Senators Andrea, Ellis and Kincaid -- 3.

Noes -- Senators Adelman, Chilsen, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Theno, Ulichny and Van Sistine -- 30.

Absent or not voting -- None.

So the motion did not prevail.

The question was: Adoption of senate substitute amendment 2?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Engeleiter, George, Lee, Leean, McCallum, Norquist, Otte, Plewa, Risser, Stitt, Strohl, Theno and Ulichny -- 18.

Noes -- Senators Andrea, Chilsen, Ellis, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Moen, Roshell, Rude and Van Sistine -- 14.

Absent or not voting -- Senator Lorman -- 1.

So the motion prevailed.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Harsdorf objected.

Senator Cullen moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and **Assembly Bill 78** be considered for final action at this time?

The ayes and noes were requested and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnezki, Davis, Feingold, George, Hanaway, Helbach, Kincaid, Lee, Leean, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Theno, Ulichny and Van Sistine -- 23.

Noes -- Senators Andrea, Chilsen, Engeleiter, Harsdorf, Kreul, Lasee, Rude and Stitt -- 8.

Absent or not voting -- Senators Ellis and Lorman -- 2.

More than two-thirds having voted in the affirmative, the motion prevailed.

### **Assembly Bill 78**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Chvala, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Lee, Leean, McCallum, Norquist, Otte, Plewa, Stitt, Strohl, Theno and Ulichny -- 19.

Noes -- Senators Andrea, Ellis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Moen, Risser, Roshell, Rude and Van Sistine -- 13.

Absent or not voting -- Senator Lorman -- 1.

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Lasee, with unanimous consent, the senate adjourned in honor of Senator Kreul's birthday.

### AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 140** by Senator Lasee.

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**Upon motion of Senator Cullen the senate adjourned  
until 10:00 A.M. Tuesday, April 29.**

**1:35 P.M.**